

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Charles Eric Hunter, et al.

Confirmation No.: 8435

Application No.: 09/707,273

Group Art Unit: 3661

Filing Date: November 6, 2000

Examiner: Cuong H. Nguyen

For: MUSIC DISTRIBUTION SYSTEMS

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

☒ **IDS Filed Under 37 CFR 1.97(b)**

In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ **IDS filed Under 37 CFR 1.97(c)**

In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

- ☐ Certification in Accordance with § 1.97(e) is attached; or
- ☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.

☐ **IDS filed Under 37 CFR 1.97(d)**

In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).

CONTENT OF IDS PURSUANT TO 37 CFR 1.98

- ☒ Copies of reference numbers 516 - 605 listed on the attached Form PTO-1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(iii).
- ☒ Copies of reference numbers 509 – 515 and 606 - 636 listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of reference numbers _____ are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number _____, filed _____ for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

STATEMENT OF RELEVANCE OF NON-ENGLISH LANGUAGE REFERENCES

- ☒ The following documents are not in the English language. Accordingly, a concise explanation of the relevance of the document was incorporated in the specification passages identified below or the document was identified in a foreign communication as identified below.

Foreign Language Document	Cite No.	Pages of Reference in Specification or Relevance of Document
JP 11 150517 A		Cited in an Official Action dated December 15, 2009 issued in Japanese counterpart application no. 2001-553696. English abstract attached thereto.
JP 11 163811 A		Cited in an Official Action dated December 15, 2009 issued in Japanese counterpart application no. 2001-553696. English abstract attached thereto.

Foreign Language Document	Cite No.	Pages of Reference in Specification or Relevance of Document
JP 11 231077 A	611	Cited in an Official Action dated December 15, 2009 issued in Japanese counterpart application no. 2001-553696. English abstract attached thereto.
JP 11 331150 A	613	Cited in an Official Action dated December 15, 2009 issued in Japanese counterpart application no. 2001-553696. English abstract attached thereto.
JP 11 331 839 A	614	Cited in an Official Action dated December 15, 2009 issued in Japanese counterpart application no. 2001-553696. English abstract attached thereto.
JP 40 7143081 A	615	Cited in related applications 11/085,944 filed March 21, 2005; 11/361,115 filed February 24, 2006; 11/351,724 filed February 9, 2006, 11/449,420 filed June 7, 2006, 11/469,358 filed August 31, 2006, 12/249,712 filed October 10, 2008 and USPN 6,647,417 issued November 11, 2003. English abstract attached thereto.

REFERENCES IN A LANGUAGE OTHER THAN ENGLISH

- ☒ The following references are not in the English language. Accordingly, English language counterpart applications or abstracts have been provided as indicated below:

Foreign Language Document	Cite No.	English Language Counterpart	Cite No.
JP 11 259764 A	612	EP 0 942 417 A2	606

- ☐ **CERTIFICATION IN ACCORDANCE WITH § 1.97(e)**

I hereby certify that:

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Date: June 15, 2010

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